UNITED STATES PATENT AND TRADEMARK OFFICE			UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov		
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/765,614	01/27/2004	Sunoj Koshy	15396US01	1363	
	7590 09/26/2007 S HELD & MALLOY, LT	EXAMINER			
500 WEST MA	DISON STREET	MAI, TAN V			
SUITE 3400 CHICAGO, IL 60661			ART UNIT	PAPER NUMBER	
			2193		
			MAIL DATE	DELIVERY MODE	
			09/26/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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A DESCRIPTION OF

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	Applicatio	on No.	Applicant(s)	· · ·
	10/765,61	4	KOSHY ET AL.	
Office Action Summary	Examiner		Art Unit	
	Tan V. Ma	i	2193	
The MAILING DATE of this communica	tion appears on the	cover sheet with the	correspondence a	ddress
 Period for Reply A SHORTENED STATUTORY PERIOD FOR WHICHEVER IS LONGER, FROM THE MAIL Extensions of time may be available under the provisions of 3 after SIX (6) MONTHS from the mailing date of this communic If NO period for reply is specified above, the maximum statute Failure to reply within the set or extended period for reply will, Any reply received by the Office later than three months after earned patent term adjustment. See 37 CFR 1.704(b). 	LING DATE OF TH 77 CFR 1.136(a). In no eve cation. pry period will apply and will , by statute, cause the appl	IS COMMUNICATIO int, however, may a reply be ti I expire SIX (6) MONTHS fror ication to become ABANDON	N. imely filed n the mailing date of this of ED (35 U.S.C. § 133).	•
itatus				
1) Responsive to communication(s) filed of	on <u>20 July 2004</u> .			
2a) This action is FINAL . 2b)	⊠ This action is n	on-final.		
3) Since this application is in condition for	•			e merits is
closed in accordance with the practice	under Ex parte Qu	<i>ayle</i> , 1935 C.D. 11, 4	153 O.G. 213.	
Disposition of Claims				
4)⊠ Claim(s) <u>1-16</u> is/are pending in the app	lication.			
4a) Of the above claim(s) is/are	withdrawn from cor	nsideration.		
5) Claim(s) <u>1-6</u> is/are allowed.				
6)⊠ Claim(s) <u>7-16</u> is/are rejected.				
7) Claim(s) is/are objected to.				
8) Claim(s) are subject to restrictio	n and/or election re	equirement.		
Application Papers				
9) The specification is objected to by the E				
10) The drawing(s) filed on $7/20/04$ is/are:				
Applicant may not request that any objectio		-	• • •	
Replacement drawing sheet(s) including the	-		-	
11) The oath or declaration is objected to by	y the Examiner. No	lite the attached Offic	e Action or form P	10-152.
Priority under 35 U.S.C. § 119				
 12) Acknowledgment is made of a claim for a) All b) Some * c) None of: 	foreign priority und	der 35 U.S.C. § 119(a	a)-(d) or (f).	
1. Certified copies of the priority do				
2. Certified copies of the priority do		••		
3. Copies of the certified copies of the copies of the copies of the section from the international			ed in this Nationa	Stage
application from the Internationa * See the attached detailed Office action f	•		ved	
\ttachment(s)				
) Notice of References Cited (PTO-892)		4) Interview Summar		
) Notice of Draftsperson's Patent Drawing Review (PTO)) Information Disclosure Statement(s) (PTO-1449 or PT)	-	Paper No(s)/Mail [5) Notice of Informal	Date Patent Application (PT	O-152)
Paper No(s)/Mail Date		6) Other:	, ,	'
Patent and Trademark Office OL-326 (Rev. 7-05)	Office Action Summa	ry F	Part of Paper No./Mail [Date 20070919

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1. The abstract of the disclosure is objected to because legal phraseology is used in this paragraph (i.e., "comprises"). Correction is required. See MPEP § 608.01(b).

2. Claims 11-16 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

As per independent claim 11, the phrase "<u>ainverse</u> quantizer<u>n</u> inverse quantizer" (line 4) is mistyped.

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 7-10 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

The claims recite a method for performing a mathematical function.

"[t]o satisfy section 101 requirements, the claim must be for a practical application of the Sec. 101 judicial exception, which can be identified in various ways:

. The claimed invention "transforms" an article or physical object to a different state or thing.

. The claimed invention otherwise produces a useful, concrete and tangible result,...".

See "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter

Eligibility" OG Date: 22 November 2005.

In order for claims to be statutory, claims must include a practical application with

a concrete, useful, and tangible result. However, claims 7-10 merely disclose steps of

performing mathematical function without disclosing a practical application with a

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concrete, useful, and tangible result, as they are pre-emptive in any application. Therefore, claims 7-10 are directed to non-statutory subject matter.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited references are art of interest.

5. The following is an examiner's statement of reasons for allowance: the recorded references do NOT teach or suggest the novel "circuit for computing a **product** of a **constant** and a **mixed** <u>number power of two</u>" having the "product, product of constant and value corresponding to the fraction, being shifted a certain number of times" feature as recited in independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (571) 272-3726. The examiner can normally be reached on Mon-Wed and Fri. from 9:30am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is:

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Official

(571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (571) 272-

2100.

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Tan V. Mai Primary Examiner